

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



#311UB
472/3

In re application of:

Nilo FAGIOLINI et al.

Serial No. 09/423,746

Filed: November 15, 1999

For: REACTIVE POWDER COMPOSITION
AND METHOD FOR PURIFYING GAS

Art Unit: 1754

Examiner: T. Vanoy

Atty. Docket No. 32232-152197

Customer No.



26694

PATENT TRADEMARK OFFICE

**INFORMATION DISCLOSURE STATEMENT: REITERATION OF
PAPER ENTITLED "PRESENTATION OF EXCERPT FROM KIRK-
OTHMER"**

Assistant Commissioner for Patents
Washington, D.C. 22031

Sir:

A check for this IDS is attached hereto. The following is a reiteration of the body of the paper filed December 2, 2002.

"This paper is filed to present a copy of an excerpt from Kirk Othmer.

Kirk Othmer Encyclopedia of Chemical Technology, Fourth Edition, volume 22, Wiley Interscience Publication, p.276. [1997], including copyright page.

Better than an Inventor's declaration, this excerpt presents a very clear illustration of the "D90" etc concept: At the top of the page, a very clear cumulative graph is presented. To find, say, D90, you select 90 on the "Y" axis and read the corresponding D90 value on the "X" axis (idem for D50 etc.)


This reference is presented as independent corroboration of the previously submitted references which pertain to the same issue, the Section 112, first paragraph rejection of claim 13.

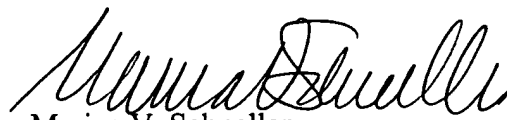
The previously submitted references pertaining to the Section 112, first paragraph rejection of claim 13 include: a page of Terence Allen's book entitled "Particle size Measurement", Second Edition, published by Chapman and Hall Ltd.(1975)[Enclosure 1] and a copy of a page from Ullmann's, Encyclopedia of Industrial Chemistry, Fifth Edition, Vol. A7, p. 160-161, 1986, editor Wolfgang GERHARTZ, publisher:VCH.] These references were attached to the two responses to the FINAL REJECTION.

Although applicants do not consider this presentation in the nature of an IDS, but rather in the vein of a factual basis for traversal of the section 112, first paragraph rejection applicants cite all three references on a 1449 form; although it does not appear appropriate to authorize treatment as an IDS, applicants note that if treated as such and if a fee is thus necessary, the Patent Office is authorized to charge Deposit Account 22-0261 the appropriate fee.

Reconsideration and an early allowance are respectfully solicited."

Respectfully submitted,

Date:  April 16 2003


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| FORM PTO-1449 | | Atty Docket: 32232-152197 | | Application No.: 09/423,746 | | | |
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| | | Filing Date: November 15, 1999 | | | | | |
| U.S. PATENT DOCUMENTS | | | | | | | |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.) | | | | | | | |
| | AL | Kirk Othmer Encyclopedia of Chemical Technology, Fourth Edition, volume 22, Wiley Interscience Publication, p.276. [1997], including copyright page. | | | | | |
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